

**CHADBOURNE
& PARKE LLP**

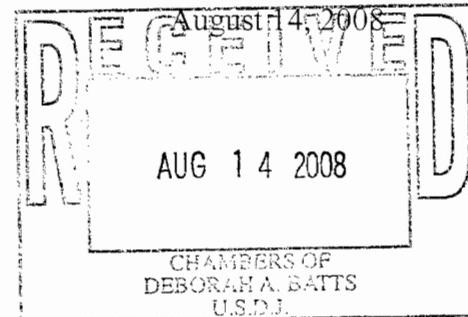
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BY HAND

Honorable Deborah A. Batts
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: Kramer v. Lockwood Pension Services, Inc., et al.
08-CV-2429 (DAB) (MHD)

MEMO ENDORSED

Dear Judge Batts:

We represent defendant-third-party plaintiff Life Product Clearing LLC (“LPC”) in the above-referenced action. Pursuant to Rule I(E) of Your Honor’s Individual Practices, LPC hereby respectfully requests that this Court approve the following briefing schedules which have been negotiated by the parties:

Request
GRANTED
in its
entirety
(DAB)

- With regard to the motion of defendant The Lincoln Life and Annuity Company of New York (“Lincoln”) to dismiss LPC’s cross-claims (filed August 1, 2008), LPC’s opposition to the motion will be due on or before September 12, 2008, and Lincoln’s reply papers in support of its motion to dismiss will be due on or before September 29, 2008;
- With regard to plaintiff’s motion to dismiss LPC’s counterclaim for tortious interference with contractual relations (filed August 1, 2008), LPC’s opposition to the motion will be due on or before September 19, 2008, and plaintiff’s reply papers in support of her motion will be due on or before October 15, 2008; and
- With regard to the motion of third-party defendants Andrew Kramer and Liza Kramer to dismiss LPC’s third-party claims for tortious interference with contractual relations (filed August 1, 2008), LPC’s opposition to the motion will be due on or before September 19, 2008,

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and the movants' reply papers in support of their motion will be due on or before October 15, 2008.

With respect to all three of these motions, LPC's opposition papers would otherwise be due on or before August 18, 2008, and the reply papers in support of these motions would otherwise be due five business days after LPC's opposition had been served. No previous requests for extensions concerning any of these motions have been made previously.

In accordance with Your Honor's order of June 16, 2008, we consulted with the other parties prior to submitting this extension request and were advised that the following briefing schedules also have been agreed to:

- In the event that any of the plaintiff, third-party defendant Andrew Kramer, and/or third-party defendant Liza Kramer move to dismiss the counterclaim and/or third-party claims for tortious interference with contractual relations brought against them by defendant-third-party plaintiff Jonathan S. Berck ("Berck"), Berck's opposition to such motion(s) will be due on or before September 19, 2008, and the movants' reply paper(s) in support of such motion(s) will be due on or before October 15, 2008;
- In the event that defendant Lincoln moves to dismiss the cross-claims of defendant-third-party plaintiff Berck, Berck's opposition to such motion will be due on or before September 12, 2008, and Lincoln's reply papers in support of its motion will be due on or before September 29, 2008; and
- With regard to plaintiff's motion to dismiss the counterclaims of defendant Phoenix Life Insurance Co. ("Phoenix") (filed June 27, 2008), Phoenix's opposition to the motion will be due on or before September 8, 2008, and plaintiff's reply papers in support of her motion will be due on or before October 7, 2008.

With respect to this last schedule, Phoenix's opposition papers would otherwise have been due on August 15, 2008, and plaintiffs' reply papers would have been due on September 15, 2008. There was one prior request for an extension regarding this motion, dated May 1, 2005, which was granted by Your Honor on May 5, 2008.

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All counsel involved in making or opposing the above motions have consented to the requested schedules.

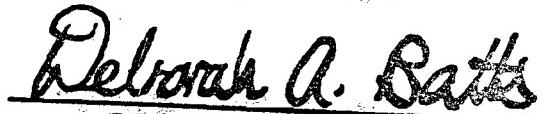
Thank you for your consideration.

Respectfully submitted,


Robert A. Swinger

cc: All Counsel (via e-mail)

SO ORDERED


Deborah A. Batts
DEBORAH A. BATTIS
UNITED STATES DISTRICT JUDGE
8/15/08

MEMO ENDORSED